

The below described is SIGNED.

Dated: September 08, 2010

  
R. KIMBALL MOSIER  
U.S. Bankruptcy Judge



Kenneth L. Cannon II (kcannon@djplaw.com) (3705)  
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Counsel for Debtors and Debtors in Possession

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

In re:

EASY STREET HOLDING, LLC, *et al.*,

Debtors.

Address: 201 Heber Avenue  
Park City, UT 84060

Tax ID Numbers:

35-2183713 (Easy Street Holding, LLC),  
20-4502979 (Easy Street Partners, LLC), and  
84-1685764 (Easy Street Mezzanine, LLC)

Bankruptcy Case No. 09-29905  
Jointly Administered with Cases  
09-29907 and 09-29908

Chapter 11

Honorable R. Kimball Mosier

**[FILED ELECTRONICALLY]**

**ORDER APPROVING FIRST AND FINAL APPLICATION FOR  
ALLOWANCE OF COMPENSATION BY NIEDERHAUSER &  
DAVIS, LLC, AS ACCOUNTANTS FOR THE DEBTORS**

The First and Final Application dated July 15, 2010 (“Application”) of Niederhauser & Davis, LLC (“Niederhauser & Davis”), accountants for the Debtors, for allowance and payment of interim compensation and for final allowance of all compensation in the Partners case pursuant to 11 U.S.C. §§ 330 and 331, Federal Rule of Bankruptcy Procedure 2016, and the Fee Guidelines of the United States Trustee, came on for hearing on August 24, 2010. Appearances were made as noted on the record. The Court, having reviewed and considered the Application, no objections having been filed to the Application, having found that notice of the Application is adequate for the consideration of the request for compensation, subject to the additional notice that must be given as set forth below, and having further found that the compensation requested is for actual, necessary services rendered by Niederhauser & Davis, and good cause appearing therefor, hereby

ORDERS:

1. Niederhauser & Davis is awarded interim compensation in the amount of \$19,164.00 professional services rendered, which fees are entitled to administrative expense priority under 11 U.S.C. §§ 503(b)(2) and 507(a)(2).
2. Niederhauser & Davis is awarded, pursuant to 11 U.S.C. § 330(a), final compensation in the amount of \$19,164.00 for professional services, which fees are entitled to administrative expense priority under 11 U.S.C. §§ 503(b)(2) and 507(a)(2), subject to the following additional notice: Counsel for Partners shall serve notice of the amounts awarded in this Order on all parties listed in the current mailing matrix in this case. Such notice shall provide that parties may object to the allowance of Niederhauser’s compensation and reimbursement of expenses within 21 days of the notice. If no objection is filed, the allowance

of compensation and reimbursement of expenses awarded in this Order shall become final and not subject to further review. If an objection is filed, a further hearing will be scheduled on the Application and the objection thereto.

3. Partners, the Reorganized Debtor, and/or WestLB, the plan funder under the confirmed Amended Plan of Reorganization of Easy Street Partners, LLC and WestLB, AG are directed and authorized immediately to pay fees and expenses approved by this Order which have not previously been paid. Subject to the further notice set forth in paragraph 2 of this Order, the award and payment of fees and expenses as provided herein may be subject to disgorgement.

\* \* \* \* END OF DOCUMENT \* \* \*

### **SERVICE LIST**

Service of the foregoing Order Approving First and Final Application for Allowance of Compensation by Niederhauser & Davis, LLC, as Accountants for the Debtors will be effected through the Bankruptcy Noticing Center to each party listed below.

Kenneth L. Cannon II  
Durham Jones & Pinegar, PC  
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P O Box 4050  
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Michael V. Blumenthal  
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Niederhauser & Davis, LLC  
1795 Sidewinder Drive, Suite 101  
P.O. Box 680460  
Park City, UT 84068

Lon A. Jenkins  
Jones Waldo Holbrook & McDonough PC  
170 South Main Street, Suite 1500  
Salt Lake City, UT 84101-1644

Annette W. Jarvis  
Benjamin J. Kotter  
Dorsey & Whitney LLP  
136 South Main Street, Suite 1000  
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Richard W. Havel, Esq.  
Sidley Austin LLP  
555 West Fifth Street  
Los Angeles, CA 90013-1010

John T. Morgan Trustee  
US Trustees Office  
405 South Main Street, Suite 300  
Salt Lake City, UT 84111-3402

**CERTIFICATE OF NOTICE**District/off: 1088-2  
Case: 09-29905User: mtm  
Form ID: pdfor1Page 1 of 1  
Total Noticed: 7

Date Rcvd: Sep 08, 2010

The following entities were noticed by first class mail on Sep 10, 2010.

aty +Annette W. Jarvis, Dorsey & Whitney LLP, 136 South Main Street, Suite 1000,  
Salt Lake City, UT 84101-1685

aty +John T. Morgan tr, US Trustees Office, Ken Garff Bldg., 405 South Main Street, Suite 300,  
Salt Lake City, UT 84111-3402

aty Kenneth L. Cannon, II, Durham Jones & Pinegar, 111 East Broadway, Suite 900, P O Box 4050,  
Salt Lake City, UT 84110-4050

aty +Lon A. Jenkins, Jones Waldo Holbrook & McDonough, 170 South Main St., Suite 1500,  
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New York, NY 10022-2544

acc Niederhauser & Davis, LLC, Attn: Jay C. Niederhauser, P O Box 680460,  
Park City, UT 84068-0460

6627730 +Richard W. Havel, Esq., Sidley Austin LLP, 555 West Fifth Street,  
Los Angeles, CA 90013-1010

The following entities were noticed by electronic transmission.

NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 10, 2010

Signature:

